

TITLE 12 TRADE, COMMERCE AND BANKING
CHAPTER 2 CONSUMER PROTECTION
PART 16 APPLICATION FOR REGISTRATION

12.2.16.1 ISSUING AGENCY: New Mexico Regulation and Licensing Department.
[12.2.16.1 NMAC - N, 8/12/2021]

12.2.16.2 SCOPE: This part sets forth application procedures to the department pursuant to the Sale of Recycled Metals Act, Sections 57-30-1 through ~~[57-30-17]~~ 57-30-14 NMSA 1978.
[12.2.16.2 NMAC - N, 8/12/2021; A, 10/1/2023]

12.2.16.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Sale of Recycled Metals Act, Sections 57-30-1 through ~~[57-30-17]~~ 57-30-14 NMSA 1978.
[12.2.16.3 NMAC - N, 8/12/2021; A, 10/1/2023]

12.2.16.4 DURATION: Permanent.
[12.2.16.4 NMAC - N, 8/12/2021]

12.2.16.5 EFFECTIVE DATE: August 12, 2021, unless a later date is cited at the end of a section.
[12.2.16.5 NMAC - N, 8/12/2021]

12.2.16.6 OBJECTIVE: The purpose of this part is to register secondhand metal dealers pursuant to Section ~~[57-30-14]~~ 57-30-2.1 NMSA 1978.
[12.2.16.6 NMAC - N, 8/12/2021; A, 10/1/2023]

12.2.16.7 DEFINITIONS: **[RESERVED]**
[12.2.16.7 NMAC - N, 8/12/2021]

12.2.16.8 APPLICATION REQUIREMENTS:

A. Effective July 1, 2012, all secondhand metal dealers shall not buy or sell regulated material without a valid registration issued by the department.

B. Applications for registration shall be completed on a form provided by the department.

C. Electronic signatures will be acceptable for applications submitted pursuant to Section 14-16-1 through Section ~~[14-16-19]~~ 14-16-21 NMSA 1978.

D. Information submitted shall include:

(1) the full name and business address of the applicant;

(2) ~~[a list of all]~~ the location at which the applicant engages or will engage in the business of buying or selling regulated material;

(3) a non-refundable registration fee as set forth in 12.2.16.9 NMAC;

(4) affirmation of compliance with all federal requirements;

(5) affirmation of registration with metal theft alert system as described in ~~[Paragraph (3) of Subsection A]~~ Subsection C of 12.2.18.8 NMAC.

E. Any occupational or professional registration pursuant to these rules shall be issued as soon as practicable, but no later than 30 days after a military service member or a veteran as defined in these rules submits an application, pays any required fees, and provides a background check if required.

[12.2.16.8 NMAC - N, 8/12/2021; A, 4/22/2022; A, 10/1/2023]

12.2.16.9 FEES:

A. The fee for application registration is twenty-five dollars (\$25.00).

B. The fee for renewal of registration is twenty-five dollars (\$25.00).

C. A military service member or veteran as defined in these rules shall not be charged a registration fee for the first three years a registration issued under these rules is valid.

[12.2.16.9 NMAC - N, 8/12/2021; A, 4/22/2022]

12.2.16.10 RENEWAL REQUIREMENTS:

A. Original and renewed registrations shall be valid for a period of three years from the date of issuance, unless the registration is suspended or revoked.

B. Prior to the expiration of the license, ~~[all]~~ a registered secondhand metal ~~[dealers]~~ dealer shall apply for registration renewal and shall pay the renewal fee as set forth in 12.2.16.9 NMAC.

C. A current registration shall be posted in the business of operation.
[12.2.16.10 NMAC - N, 8/12/2021; A, 10/1/2023]

HISTORY OF 12.2.16 NMAC: [RESERVED]

DRAFT